

106TH CONGRESS
1ST SESSION

H. R. 2820

To provide for the ownership and operation of the irrigation works on the Salt River Pima-Maricopa Indian Community's reservation in Maricopa County, Arizona, by the Salt River Pima-Maricopa Indian Community.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 1999

Mr. HAYWORTH (for himself and Mr. PASTOR) introduced the following bill;
which was referred to the Committee on Resources

A BILL

To provide for the ownership and operation of the irrigation works on the Salt River Pima-Maricopa Indian Community's reservation in Maricopa County, Arizona, by the Salt River Pima-Maricopa Indian Community.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS; PURPOSE.**

4 (a) FINDINGS.—The Congress finds and declares
5 that—

6 (1) it is the policy of the United States, in ful-
7 fillment of its trust responsibility to Indian tribes, to

1 promote Indian self-determination and economic
2 self-sufficiency;

3 (2) meaningful Indian self-determination and
4 economic self-sufficiency largely depend on develop-
5 ment of viable Indian reservation economies;

6 (3) the Salt River Pima-Maricopa Indian Com-
7 munity (hereinafter referred to as the “Commu-
8 nity”) has defined and settled water rights;

9 (4) the Community operates under the Tribal
10 Self-Governance Act;

11 (5) the irrigation works within the Community
12 and their operation are funded through the sale of
13 delivered water to water users within the Commu-
14 nity, not by annual appropriations of the Congress;

15 (6) the Community has operated the irrigation
16 works within the Community since the inclusion of
17 the works in the Community’s Self-Governance Com-
18 pact Annual Funding Agreement with fair and wise
19 management of such works, and is clearly capable of
20 fully managing the operation of these irrigation
21 works; and

22 (7) it is appropriate that the United States
23 transfer to the Community any remaining authority
24 and responsibility that the United States may have
25 for the irrigation works to—

1 (A) advance the goals of Federal Indian
2 policy;

3 (B) fulfill the trust responsibility of the
4 United States to the Community;

5 (C) promote Indian self-determination, eco-
6 nomic self-sufficiency, and self-governance;

7 (D) enable the Community in its develop-
8 ment of a diverse, efficient reservation economy;
9 and

10 (E) enable the Community to better serve
11 the water needs of the water users within the
12 Community.

13 (b) PURPOSE.—It is the purpose of this Act to au-
14 thorize and direct the Secretary of the Interior to transfer
15 to the Community any remaining authority and responsi-
16 bility held by the Secretary for the Community irrigations
17 works.

18 **SEC. 2. OPERATION OF IRRIGATION WORKS BY THE SALT**
19 **RIVER PIMA-MARICOPA INDIAN COMMUNITY.**

20 (a) IN GENERAL.—Beginning on the effective date of
21 this Act, the Salt River Pima-Maricopa Indian Community
22 shall have full operating authority over the irrigation
23 works within the Community to deliver water of the Com-
24 munity to the lands of the Community. The Community
25 shall operate such irrigation works under uniform laws

1 and regulations so as to assure fairness in the delivery
2 of water to water users. Notwithstanding any other provi-
3 sion of law, the Secretary of the Interior shall take such
4 action as may be necessary to ensure and facilitate the
5 Community having full operating authority over said irri-
6 gation works.

7 (b) TRUST RESPONSIBILITY NOT DIMINISHED.—The
8 trust responsibility of the United States to the allotted
9 landowners of land within the boundaries of the reserva-
10 tion of the Community shall not be diminished by this Act.

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